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 SKYWEST AIRLINES, INC.

10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **SAN FRANCISCO DIVISION**

13 SKYWEST PILOTS ALPA ORGANIZING
 14 COMMITTEE, et al.,

15 Plaintiffs,

16 vs.

17 SKYWEST AIRLINES, INC.,

18 Defendant.

19 **Case No. C-07-2688 CRB**

20 **DECLARATION OF JAY OYLER IN
 SUPPORT OF DEFENDANT'S REPLY TO
 PLAINTIFFS' OPPOSITION TO
 SKYWEST AIRLINES, INC.'S MOTION
 TO TRANSFER**

21 Date: June 5, 2007

Time: 3:00 p.m.

Ctrm: 8, 19th Floor

Judge: Hon. Charles R. Breyer

Action Filed: May 22, 2007

Winston & Strawn LLP
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1 DECLARATION OF JAY OYLER IN SUPPORT OF DEFENDANT'S REPLY TO PLAINTIFFS' OPPOSITION TO
 SKYWEST AIRLINES, INC.'S MOTION TO TRANSFER, CASE NO. C 07-2688 CRB

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1 I, Jay Oyler, declare as follows:

2 1. I am employed by SkyWest Airlines, Inc. ("SkyWest") in the position of
3 Manager of Crew Support and have been in this position since June 2004. I was hired by SkyWest
4 on or about March 21, 2002 and have been a Crew Scheduler and a Crew Support Supervisor in
5 addition to Manager of Crew Support. I have personal knowledge of the facts herein and, if called as
6 a witness, could and would competently testify thereto.

7 2. As part of my responsibilities, I monitor and oversee daily Crew Scheduling
8 operations. By the term "Crew," I mean pilots and flight attendants.

9 3. Crew Scheduling is comprised of creating and then maintaining the Crew
10 schedule on a company-wide basis. My team and I are responsible on a day-to-day basis for staffing
11 SkyWest's full compliment of 1,700+ flights. I also am responsible for compliance with
12 crewmember flight, duty, and rest regulations and records. Not only must each crewmember be
13 tracked to ensure compliance with federal regulations, each crewmember must be tracked to ensure
14 compliance with SkyWest's internal policies.

15 4. Each month, my team and I create a monthly schedule – based on preferential
16 bidding. SkyWest's preferential bidding system has all pre-existing schedule conflicts like
17 vacations, company meetings and/or training entered into the system. These blocks of time are "pre-
18 assigned" and pilots "bid around" them based on seniority.

19 5. SkyWest flies two types of aircraft: Regional Jets and Brasilia aircraft. On
20 either type of aircraft, there must be two pilots: one captain and one first officer. All told, therefore,
21 there are four types of pilot positions at SkyWest: Regional Jet ("CRJ") captain, Regional Jet first
22 officer, Brasilia captain and Brasilia first officer. Each type of pilot can only bid on his type of
23 position.

24 6. For flights in the month of June, bidding closed on May 17 and the June
25 schedule issued thereafter.

26 7. Once the June schedule issues, however, my team's work does not end.
27 Rather, throughout June my team and I must re-arrange the schedule to accommodate when a pilot
28 calls in sick or has to take a personal day. As soon as we know that a pilot cannot fly a trip, we start

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1 trying to fill it, *i.e.*, we try to reassign the trip to another pilot.

2 8. In general, reserve pilots are the first line of defense to fill a trip for which a
3 scheduled pilot will be absent. This, however, is not always easy. For example, if a trip starts in
4 Denver and the available reserve(s) is/are not domiciled in Denver, the reserve who is scheduled
5 must be flown to Denver. If the flight on which the reserve is arriving is delayed, so is the flight
6 (and likely the rest of the trip) for which he is filling in. Similarly, if a reserve domiciled in Chicago
7 is assigned to a trip that ends in Denver, we must fly that person back to Chicago. In either of these
8 circumstances, SkyWest sends the reserve in a confirmed seat, thus costing SkyWest money.

9 9. Re-scheduling CRJ captains currently is especially difficult because only 5%
10 of CRJ captain carrier-wide are on reserve. This means that when one CRJ captain cannot fly a
11 scheduled trip, we often must assign that trip to out-of-domicile reserves. For example, when the
12 preliminary injunction hearing was still scheduled for May 31, one of the plaintiffs domiciled in Salt
13 Lake City was scheduled to start a trip in Salt Lake City on Wednesday afternoon (May 30). The
14 only arrangement we could make to cover this trip was to have a reserve fly from Atlanta to make
15 the trip. A captain was already en route in a confirmed seat when the hearing date changed, thus
16 allowing that plaintiff to make his scheduled trip. The Atlanta reserve, however, had to be put back
17 on the plane, again in a confirmed seat, and SkyWest had to compensate him for his time.

18 10. If we have to cover a captain who is not available for three consecutive days,
19 ideally, one person would cover all of that captain's trip. However, in the context of CRJ captain
20 coverage, we do not have an ideal situation and it easily could take a few reserves to cover the trip –
21 especially if there are not available CRJ captains in the relevant domiciles. This adds further to
22 SkyWest's expenses.

23 11. Absent the availability of a reserve, we ask off-duty pilots whether they would
24 be willing to take the trip. A pilot who is otherwise off-duty and takes one of these flights is paid
25 time-and-a-half.

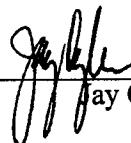
26 12. When we are required to fill multiple trips and must use our available reserves
27 and/or off-duty pilots, there can be a domino effect on the rest of the schedule. That is, when

1 multiple trips must be filled, there are often far-reaching ramifications on how to re-allocate
2 resources. With enough trips to fill, especially among the ranks of CRJ captains, there is a real
3 possibility that flights will be delayed and/or cancelled.

4 13. Of the CRJ captains that are on Plaintiffs' witness list in this case (all six of
5 the witnesses listed are CRJ captains), four are domiciled in Salt Lake City, one is domiciled in
6 Colorado Springs and one is domiciled in Denver. From a scheduling standpoint, it would be much
7 easier to cover those domiciled in Salt Lake if this hearing was being held in Salt Lake City because
8 when a pilot is domiciled in a certain city, all his or her trips start in that city and end in that city. If
9 the hearing were in Salt Lake, and depending on the structure of each CRJ captain's trip, there would
10 be a good possibility that we would have to cover less of their assigned flying as we would not have
11 to allow for travel time to and from San Francisco.

12
13 I declare under penalty of perjury that the foregoing is true and correct.

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15 Executed on June 4, 2007.

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18 Jay Oyler
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